

REMARKS

The drawings are objected to because they do not show every feature of the invention specified in the claims.

The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter namely the phrase "except for unintended frictional effects, exclusively" in claims 2 and 14.

Claims 2, 4, 6, 8, 10, 12 and 14 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement.

Claims 2, 4, 6, 8, 10, 12 and 14 would be allowable if rewritten or amended to overcome the rejections under 35 U.S.C. 112, 1st paragraph, set forth in this Office Action.

To clarify the situation, it is necessary to backtrack to the Examiner's previous Office Action dated 14 September 2007, and Applicant's response dated 14 January 2008. In her Office Action, she states "for example, compression side damping force generating structure 101 shows both a check valve 43 for damping flow resulting from compression strokes as described in paragraph [0031] and a check valve 44 for damping flow resulting from expansion strokes as described in paragraph [0034]." Applicant in the response dated 14 Jan 08 committed a typographical error. The applicant's comments referred to "check valves 43 and 44", but should have correctly stated instead "check valves 44 and 64". This typographical error may have led to confusion in the mind of the Examiner, as she herself mistakenly referred to element 43 as a check valve, instead of a "damping valve 43", as is clearly set out in the description [0031] and in the drawings.

Following is a summary and clarification of the claimed invention, in view of the outstanding concerns held by the Examiner.

One primary object, and perhaps the most important object, is to provide for the first time a shock absorber invention in which, firstly, a first shock absorber 100 is arranged with a compression side damping force generating means 101 [0026] without a corresponding expansion damping force generating means. Essential elements of this compression force generating means include a compression side damping valve 43 and a check valve 44. The check valve 44 is closed during compression to allow the working fluid to pass through the compression side damping valve 43 to provide the damping effects, and is open during expansion to allow the working fluid to pass freely through the check valve while avoiding expansion damping effects to the extent possible with non-ideal components and fluid flow. The invention also sets out a second shock absorber 200 [0045] arranged with expansion side damping force generating means 201 [0051] while lacking compression damping force generating means. Essential elements of this expansion side damping force generating means include an expansion side damping valve 63 [0048] and a check valve 64 [0045]. The check valve 64 is closed during expansion [0040] to allow the working fluid to pass through the expansion side damping valve 63 to provide the damping effects, and is open during compression to allow the working fluid to pass freely through the check valve 64 to likewise avoid compression damping effects to the extent possible with non-ideal components and fluid flow.

Returning to the Examiner's comments that the cited Lohr reference uses the terms check valve and damping valve interchangeably, it is to be noted that a patent document separate and apart from the application under consideration is not a proper source for definitions of general terms. There is no evidence that Lohr understands the term correctly, and would meanwhile be free to attempt to define it specifically for his particular patent in any event.

Instead, applicant refers the Examiner to any dictionary of technical terms, such as the Wikipedia source which in the first sentence defines a check valve as a "mechanical device, a valve, which normally allows fluid to flow through it in only one direction". The purpose of check valves is widely known and accepted to be valves which to the extent possible under non-ideal conditions allow fluid to flow freely in one direction, and to stop altogether fluid flow in the opposite direction.

In the present invention, there are several references to the operation of the check valves 44 and 64. In paragraph [0008], it is stated "one of the hydraulic shock absorbers is provided with a compression side damping valve... and a check valve which closes during compression", and "Another of the hydraulic shock absorbers is provided with an expansion side damping valve... and is provided with a check valve which closes during expansion".

It is simply incorrect to state that the check valves 44, 64 provide intentional damping in the device. They are present to shut off the flow of working fluid in order to direct it to the compression shock absorber damping valve 43 and the expansion shock absorber damping valve 63, respectively.

The Examiner misreads the disclosure to the extent she states that "compression side damping force generating structure 101 shows both a check valve 43 for damping flow resulting from compression strokes as described in paragraph [0031] and a check valve 44 for damping flow resulting from expansion strokes as described in paragraph [0034]".

In fact, [0031] clearly and correctly describes element 43 as a "compression side damping valve 43", not as a check valve. In contrast, [0034] clearly and correctly describes element 44 as a "check valve".

There is ample support for the present claim language "except for unintended frictional effects" and compression and expansion effects exclusive to each separate shock absorber.

In [0007], it is stated "A compression side damping force generating means for mainly generating a compression side generating force is provided in one shock absorber. An expansion side damping force generating means for mainly generating an expansion side damping force is provided in another hydraulic shock absorber." Any forces other than the compression side damping forces and the expansion side damping forces are those unintentional frictional forces presently set out in the claims. There is a complete absence of a teaching that the compression-damping shock absorber damps expansion as well, and vice-versa. The drawings illustrate the fluid flow paths which can only allow for the exclusive compression/expansion damping characteristics as claimed.

Applicant asserts that all of the objections to the drawings and sufficiency of original disclosure have been satisfied.

CONCLUSION

Applicant asserts that all of the objections have been obviated, and now respectfully requests withdrawal of those objections and an allowance of this application.

Respectfully submitted,

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